

Michigan
Department
of Human
Services

Prepared by the
DHS Office of
Communications
(517) 373-7394

Articles in Today's Clips

Friday, June 23, 2006

(Be sure to maximize your screen to read your clips)

TOPIC	PAGE
Early retirement*	2
DHS budget*	3
Abuse-neglect*	4-8
Welfare to work*	9
Juvenile	10
Medicaid	11
Domestic abuse	12-16
Nursing home	17
2-1-1 service	18
Unger case	19-20
News release*	21-22

DeVos: Early out for state workers

GOP candidate's plan reduces state government

By Chris Andrews

Lansing State Journal

Published June 23, 2006

Republican gubernatorial candidate Dick DeVos wants to offer state government employees an early retirement option if he's elected. DeVos has included the early out in his 65-page jobs plan for Michigan released this week. He said it's an effective way to treat workers fairly while reorganizing and reducing the size of state government.

"This is an honorable thing to do for many long-serving state employees," DeVos told the Lansing State Journal Editorial Board on Thursday.

Many employees may want to start second careers, such as teaching, he said.

DeVos said he did not have a specific proposal in mind but that he believes the state's work force can be reduced by eliminating waste and finding more efficient ways to deliver services. He also said he would save taxpayers' money by eliminating the paid day off that most state workers get on Election Day.

Democratic Gov. Jennifer Granholm, who is seeking re-election, is opposed to an early out program. About 8,000 workers left state service when a plan was offered in 2002, which disrupted some services.

"DeVos' plan has no depth, no substance, no specifics and a lot of unanswered questions, including details on these issues," Granholm campaign spokesman Chris De Witt said.

Last month, state Rep. Rick Jones, R-Grand Ledge, introduced legislation to establish an early retirement program. Under the plan, pension benefits would increase by nearly 17 percent and workers whose age and years of service add up to 80 would be eligible.

Jones said he hoped all workers who retired would be replaced. Other Republicans, including state Rep. Scott Hummel, R-DeWitt, say any early retirement plan should result in fewer workers.

Alan Kilar, financial secretary treasurer of United Auto Workers Local 6000, said he didn't think DeVos has the interests of state workers in mind.

"It appears to me his goal is to reduce and privatize state government," Kilar said. "Our safety net is full of holes as it is."

DeVos also said he wants to stop giving state employees a paid day off on Election Day. He said the holiday costs taxpayers money and reduces services.

Several unions received the paid day off in recent contracts, and the Civil Service Commission approved the paid day off for non-unionized workers.

Kilar said DeVos' stance shows a lack of understanding of labor negotiations. "Like in any negotiation, in order to get that day off, we had to give up something."

Contact Chris Andrews at 377-1054 or candrews@lsj.com

DHS BUDGET: A 'GAME OF CHICKEN'

MIRS, Thursday, June 22, 2006

A source close to budget negotiations told *MIRS* today that there is really only one sticking point standing in the way of a budget agreement — the welfare issue within the Department of Human Services (DHS) budget.

According to the source, the situation is similar to a game of 'chicken' where neither side on the issue seems to be willing to budge.

Republicans believe they win with the voters on the issue of welfare reforms, including lifetime limits for able-bodied recipients and tougher sanctions for rule breakers. In addition, they believe that if Gov. Jennifer **GRANHOLM** were to get her way on the issue, which is to institute the JET (Jobs Education & Training) program, she would claim that she had reformed Michigan's welfare system.

The JET program aims to get people off welfare by training them so they can be absorbed into the ranks of the employed. The Republicans claim their plan does the same thing, but would work better because it includes an actual time limit and tighter restrictions for those who don't stick with the program.

Public to get results of probes

DHS director to open up inquiries of Rose Kelly case

THE FLINT JOURNAL

Friday, June 23, 2006

By Ron Fonger

FLINT - Calling 5-year-old Rose Kelly's death "a nightmare for everybody who cares about children," the director of the state Department of Human Services is promising to open up the results of investigations into the Flint girl's death.

DHS Director Marianne Udow said Thursday that she will take the unusual step of sharing the results of the investigations into how DHS handled Rose's case - one an internal probe and another by the Office of Children's Ombudsman.

"These kinds of cases - they tear your heart out. There are judgment calls being made every day. Sometimes mistakes are made," Udow said.

The department's own local advisory board has been pushing for details in the case since Rose died June 3. DHS revealed in court petitions that it had contact with the family previously, but did not remove the children from the home.

Flint police have said conditions inside the home rented by Rose's parents, Michelle L. Bowen and Jeffery C. Kelly, bordered on nightmarish with garbage and dog feces strewn throughout and lice and flea infestation.

Police said Bowen told them she didn't take Rose to the doctor because she feared that her ailing daughter and the other three children might be taken from her because of the severe lice problem. "We are publicly accountable. Our interest is in understanding what happened here, and what we can do in the future," Udow said in a meeting at the state office building in Flint.

Results from the investigations won't be made public until they are completed, the director said, and though the internal review might take only a month, it might not be released until the Office of Children's Ombudsman review is complete as well.

Udow said she won't release information that might interfere with any criminal investigation by police.

"Our biggest concern is justice for Rose Kelly," she said.

Udow said Michigan's child-protection system is under stress, with an increase in the number of cases investigated.

New programs such as Family to Family, which encourage earlier involvement with families by DHS, have proved successful and will continue to be expanded, she said.

QUICK TAKE
<p>There are two ongoing reviews of the Department of Human Services' performance in Rose Kelly's death. DHS Director Marianne Udow said Thursday that she will open the results of both investigations to the public when the reviews are complete. The Office of Children's Ombudsman investigates the actions of DHS caseworkers and administrators in any case involving a child's death.</p> <p>The Office of Family Advocate within DHS provides the department with reviews and assessments of agency practices and policies.</p>

Rose's family was told to clean up mess, landlord says

THE FLINT JOURNAL

Friday, June 23, 2006

By Ron Fonger

FLINT - The owner of the N. Franklin Avenue home where Rose Kelly died June 3 had a hint something was wrong inside the rental house.

Just a few months before the 5-year-old died in squalor in the home that police have described as a horror of lice, fleas and garbage, Ghattas Realty sent her parents a letter, telling them to clean up.

A repairman noticed dog feces inside the house and reported that the family wouldn't allow him into the living area of the eight-room, single-story house.

"My understanding is it's filthy," said Habeeb Ghattas, a Flint attorney whose mother owns the property. "It's unbelievable to me - especially when they have kids. I have a dog and cat, but I don't let them crap in the house."

The cause of Rose's June 3 death was still undetermined Thursday, according to the Oakland County medical examiner's office, but police have said her mother, Michelle L. Bowen, never took her to a doctor after the child became sick.

Police have said Bowen feared that Child Protective Services, which had contact with the family previously, would take her children from her because of lice in her daughter's hair.

Ghattas said Bowen and Jeffery C. Kelly, Rose's father, have been sent an eviction notice. The family left behind furniture, a vehicle and conditions that disgusted the man hired to clean it up, he said.

Ghattas said the family was current in rent payments and didn't do anything to raise suspicions about how the four children in the home were being treated until the repairman's visit.

"We don't make a habit of hovering over our tenants," Ghattas said. "We were as shocked as anyone else when this happened."

Boy attacked on bus seeks protection from classmate

Middle school students face assault charges

PUBLISHED: June 23, 2006

By Norb Franz

Macomb Daily Staff Writer

The 10-year-old New Baltimore student punched by a teenage classmate aboard a school bus wants a judge to order the older boy to stay away from him.

Chester Gala, an Anchor Bay Middle School North student, seeks a personal protection order against 13-year-old Travis DeBose, according to court documents filed on his behalf by his father. Eric Gala cited the May 12 bus incident, which was captured on a school bus security camera. The video has been shown on local and national TV broadcasts as the father contends the safety of children is at risk when they board a school bus.

DeBose was suspended from classes May 15, the first school day that followed the incident. After New Baltimore police conducted its own investigation, the Macomb County Prosecutor's Office charged DeBose, a seventh-grader at the time, with aggravated assault, a 1-year misdemeanor.

Another boy, 14-year-old Tevin Portis-Haidar, also was accused of taunting and teasing Chester. Tevin, who also attends seventh grade at the middle school, faces a lesser charge of simple assault.

Both accused teens are scheduled to appear before a Macomb County Juvenile Court referee July 27 for a pretrial hearing.

"Respondent (DeBose) has no remorse" and lives within walking distance of Chester Gala's home, the younger boy's father wrote in court documents filed at Macomb County Circuit Court. According to the request, the double-promoted honor student, also in seventh-grade, feels DeBose has stalked him.

"I saw the respondent on Monday morning at school and he knew that I was Chester's father. He looked at me with contempt," Mr. Gala said.

Eric Gala requested the immediate protection order "ex parte" -- without notice to DeBose -- on May 17, five days after his son was punched on the bus while heading home from school. Judge Tracey Yokich denied the request the same day, opining that the allegations did not meet the definition of stalking and did not provide reasonable cause to believe immediate or irreparable injury will occur if an ex parte order was issued without a hearing.

On May 18, Mr. Gala revised his request for a PPO by again claiming lack of remorse by DeBose and the proximity of the two boys' homes.

"Also fear of reprisal from pressing assault and battery charges," the father states in court documents.

A hearing on the amended request was scheduled for this week, but was adjourned to July 3. Yokich's court clerk said Thursday the judge will be unavailable that day and the hearing will be rescheduled.

According to reports on the bus incident, Chester Gala told police he was looking behind him on the bus when one of the accused boys told him to turn around. Chester replied that he didn't have to, and the older classmates began threatening him, he said.

Police reported that Chester tried to block DeBose's hands, before DeBose shoved Chester in the face and mid-section.

DeBose then handed a paper and pencil to Portis-Haidar sitting behind him, got out of his seat and on top of Chester, holding him down on his chest and punching him several times, reports and officials said.

Chester quoted DeBose as saying afterward, "That made my day."

Attempts by The Macomb Daily to reach DeBose and his mother, Patrice, by phone and at their home in New Haven were unsuccessful. On Wednesday, DeBose told WJBK-TV (Channel 2) that he reacted abruptly and made a mistake, and would be willing to apologize to Chester.

Welfare-work rules: Neglect the children?

Jackson Citizen Patriot editorial

Friday, June 23, 2006

We remember the doom-and-gloom warnings in the early 1990s as Congress looked seriously at welfare reform. When the reforms were enacted, the worst-case scenarios never materialized. So we aren't joining a panic brigade over the latest wave of welfare reforms. Even so, it is important to spell out the risk of the reforms, for the welfare of children is at stake.

One key federal reform was the adoption of welfare-to-work standards. Michigan succeeded in reducing its welfare rolls significantly by getting people hooked up with jobs. However, under a new formula that takes effect on Oct. 1, the feds expect the states to have 50 percent of welfare recipients in eligible work activities. These include paid work, subsidized work, on-the-job training, community service and vocational training. Problem: Despite Michigan's progress over the years, the state currently has only about 23 percent of welfare participants working. It is one of 15 states that would have to increase work participation by more than 100 percent.

If Michigan fails to attain the 50 percent level of work participation, it will be penalized with cuts in federal funding -- as much as \$38 million.

But, of course, Michigan has nothing to fear from this reform -- if it can reach the 50 percent work-participation rate. Frankly, that goal is probably unattainable, at least until Michigan's economy turns around. It isn't even just the reality that Michigan's economic recovery lags behind the rest of the nation's, or that hundreds of thousands of manufacturing jobs have been lost, or that the unemployment rate is at 6 percent -- about two points above the national rate. Rather, the impediments to welfare recipients finding work often have to do with transportation and child care. There's the expense of maintaining and operating a car these days with fuel running about \$3 per gallon.

But it is child care that grabs us. How can single parents or married couples on welfare hold jobs if they have no reliable or affordable child care? According to the state Department of Human Services, federal-state funding for child-care programs last year served 264,146 children at a cost of \$478.5 million. Though the 2007 budget is not yet finalized, projected spending is \$10 million less. Oddly, the reason less spending is projected is that people who can't find work don't need child care, so the state is planning for less even as it is being expected to get more people on welfare employed.

In Jackson County, the state-federal child-care program serves about 4,200 children. The risk is that these changes may make it more difficult for their parents, usually low-income working people, to find affordable, licensed child care when they need it. And since 13 percent of child abuse or neglect originates with improper supervision, that is a big concern.

We have long felt that the welfare-to-work shift is a good one -- as long as it is tied to reality. It does no good for the federal government to squeeze a state like Michigan in the middle of an economic downturn in order to get more people working. If there were jobs, if there were child care, if there were transportation -- it would make sense.

Youth center taps educator

BY CATHERINE JUN
The Detroit News

6/22
DB

Wayne County dodged state sanctions Wednesday by tapping another charter school to educate students at its juvenile detention center, a week before the charter of the current school is to expire.

The county asked Blanche Kelso Bruce Academy to step in after Wayne Regional Educational Service Agency announced it would not renew the charter for Ben Carson Academy after June 30 due to financial troubles at the school.

"They've been trying to fix it, but time has run out," said Sue Hamilton-Smith, interim director of the county's Department of Children and Family Services.

State law requires counties to educate juveniles incarcerated for more than five days.

"This is not optional for us," Hamilton-Smith said.

Wayne RESA, the authorizer of both schools, approved the replacement Wednesday.

Ben Carson, located at the Wayne County Juvenile Detention Facility on St. Antoine, has educated about 3,500 kids each year, and about 175 daily.

Blanche Kelso Bruce operates programs for troubled kids out of eight facilities around Detroit and Highland Park, including mental health and child welfare centers.

Evans Solutions, the private company that manages all eight facilities, will take over running the school in the county's facility

July 1.

"Now the work begins," said Blair Evans, head of the company. He added that he plans to have summer school start on time and may consider hiring current staff at the facility.

Hamilton-Smith said she recommended the company because it has a track record of working with troubled youth.

Ben Carson officials made a last-ditch plea Wednesday for the school's survival.

Detroit Public School officials discussed the possibility of taking over the school's charter last week, but did not take any action.

*You can reach Catherine Jun
at (313) 222-2269 or
cjun@detnews.com.*

Panel hears details of Florida Medicaid reform plan

Gongwer News Service

June 22, 2006

The House Special Committee on Medicaid Reform and Innovation heard details about the Florida Medicaid reform plan Thursday, and judging from the smiles on members' faces, many liked what they heard.

Sybil Richard, Florida's assistant deputy secretary for Medicaid operations told the committee that embracing technology and tracking prescription issuance was cutting down on costs and Medicaid fraud.

Under Florida's plan, doctors can write prescriptions through an online program, which allows the physicians to check previous prescriptions, fill dates and other information. The drug orders are then filled at a single pharmacy, chosen ahead of time by the consumer.

Ms. Richard said the information in the program prevents people from getting multiple prescriptions at the same time. "Although initially we weren't concerned with fraud, we found that this actually helped prevent doctor shopping and pharmacy shopping," she said.

At that point, several Republican committee members were sitting at the front of their chairs and smiling. But what Ms. Richard said next made the whole room sit up and take notice.

"We're saving enough to pay for the program – and then a little bit more."

Ms. Richard said choice is expanding, because of an expansive feedback program, including statistical analysis of inpatient time, specializations, mortality and morbidity, cost, and other factors – including patient satisfaction. Healthcare providers now have to compete in all facets, she said, and those that don't make the grade won't be able to stay with the program.

Man shoots woman, toddler before drowning self

Chrystal Johnson / The Detroit News

DETROIT -- A year ago, Siraquana Cotton obtained a personal protection order against her estranged boyfriend Charles "Eastwood" Epperson. In making the request for protection, Cotton wrote that Epperson had called her cell phone and threatened to kill her.

On Thursday morning -- eight days before the order was set to expire -- police say Epperson, 28, shot Cotton, 25, and her 2-year-old daughter, Marissa Mosley, to death at her home in the 11000 block of Promenade Street. About 11 hours after the shooting, Cotton jumped to his death in the Detroit River.

Cotton's sister Natasha Cook said she was sitting in a chair near the kitchen while Cotton, a hairstylist, was doing her hair. At about 11:30 p.m., the front door came crashing down. "Eastwood was standing in the door, soaking wet, with a gun in his hand," Cook said. "He tried to grab me but I snatched away and ran from him."

Cook said that's when he started shooting at her sister, a bullet hitting her in the head. "I grabbed Marissa, but she snatched away and said she wanted her mom, and that's when he shot her," Cotton said.

Serelda Jones, another sister who was in the home at the time, said the seven survivors in the house streamed out into the street after the shootings because Epperson threatened to kill everyone as he fled.

Cotton's father, Bobby Howard, said Cotton and Epperson had dated on and off for three to four years and they have a 6-month-old son, also named Charles. "There is a history of domestic violence (between Cotton and Epperson)," said Detroit Police Department spokeswoman Yvette Walker. "Several reports were made (that were) domestic violence related."

According to Detroit police records, Epperson was convicted in 1997 of felonious assault and assault with a deadly weapon in a domestic violence case. He served time in prison from 1998 to 2003.

Police searched for Epperson on Thursday morning. At about 11:30 a.m. they received a call from a screaming woman who reported that a man jumped into the Detroit River, near Atwater and Chene. Police identified that man as Epperson about three hours later.

You can reach Chrystal Johnson at (313) 222-2300 or cijohnson@detnews.com

DETROIT MURDER-SUICIDE

Woman feared for her life, family says

Cops: Man killed 2, drowned self

June 23, 2006

BY AMBER HUNT and JACK KRESNAK

FREE PRESS STAFF WRITERS

Siraquana Cotton feared her boyfriend would kill her, so she asked the courts to protect her. "Basically, he calls my cell phone making threats to kill me," she wrote last June in a Wayne County Circuit Court petition for a personal protection order. "I believe him ... He puts his hand on me and thinks he can get away with it."

On Thursday, about a week before the order was set to expire, Charles Epperson allegedly followed through on his threats: Police said he walked into Cotton's east-side Detroit home, shot her in the head and neck, then turned the gun on her 2-year-old daughter by another man and killed the girl with a single gunshot to the chest.

Epperson then went to Belle Isle along the Detroit River and jumped in. His body was pulled from the water Thursday afternoon. Epperson's relatives, several of whom gathered by the river as police searched for his body, told WDIV-TV Local 4 that Epperson chose to kill himself instead of going back to prison.

"He got depressed about the situation and what had happened," his aunt, Mary Weatherspoon, told Local 4. "He understood ... the consequences of what he was going to go through." She added, however, that she did not believe he killed the little girl.

"He would have never shot no baby," she said. Despite Cotton's pleas for help a year ago, she apparently never reported Epperson for violating the protection order -- though family members said he repeatedly did.

It was tough, they said, because Cotton, 25, was pregnant with Epperson's son, also named Charles, who was born a few months ago.

"She was a sweet person and a good mother to her children," said Sandra Redmond, whose son, Demetric Redmond, fathered a daughter with Cotton. Sandra Redmond has custody of that girl, 4-year-old Jayla Cotton. Cotton's oldest child, a boy, lives with his father.

"What kind of person kills a little baby?" Sandra Redmond cried outside of Cotton's duplex on the 11700 block of Promenade Avenue. "My understanding of that is zero."

Epperson, who went by the nickname Eastwood, had a history of domestic violence charges, according to Detroit Police Sgt. Omar Feliciano. The 28-year-old also spent time in prison for assault with a dangerous weapon and using a firearm to commit a felony, according to the Michigan Department of Corrections.

Redmond said she was supposed to bring Jayla to Cotton's home Wednesday night but she overslept. If she hadn't, she fears Jayla might have been killed as well.

Instead, Redmond said Jayla learned of her mother's death while watching television on Thursday morning.

"She said, 'Ga'mamma, that's my mama! That's my sister! And Eastwood killed them!' "

Redmond said she'd warned Cotton to stay away from Epperson. She said Jayla came home from visits with her mother and described Epperson beating and jumping on Cotton.

Cotton's father, Bobby Howard, said he also warned his daughter about Epperson.

"He said he would kill me; he said he was going to kill her," Howard said. "I don't know what was wrong with him."

At first, Cotton wouldn't listen, Howard said. She was in love.

But things got tumultuous enough last year that she filed for the personal protection order, court records show.

"Charles punched me in the eye," she wrote. "He rides up the street I be on. He vandalizes my car."

The yearlong order was granted June 30, 2005. Family members said the order did little good, however, because Cotton never called police to enforce it.

Police said Epperson broke into Cotton's home about 12:30 a.m. Thursday. Three other adults were in the home, as was the infant Epperson fathered with Cotton. None of them were harmed. Cotton pleaded for her life, police said, before Epperson opened fire. Then he shot 2-year-old Maurisha Mosley.

A few hours later, police received a report about a man jumping into the Detroit River. They began dragging the river's bottom in search of his body, which was discovered about 2:40 p.m. near Chene Park.

An autopsy on Epperson's body will be conducted today, officials said.

Neighbors said Cotton had lived in the Promenade duplex for a few months. Elroy Knott Sr., 45, said she was friendly, even wishing him a happy Father's Day on Sunday.

"I was born and raised in Detroit, so you see this," Knott said, "but you don't want to hear about it, especially to people you know."

Contact **AMBER HUNT** at 313-222-2708 or alhunt@freepress.com

Where to find help

Many agencies and organizations around the state offer help with domestic violence problems. Here are some of those with 24-hour crisis lines in southeastern Michigan and a Web site with statewide information:

- Detroit Police Department Rape Counseling Center and Domestic Violence lines: 313-833-1660 or 313-833-9813.
- First Step: 734-459-5900 or 888-453-5900; www.firststep-mi-org.
- HAVEN (Help Against Violent Encounters Now): 248-334-1274; www.haven-oakland.org.
- SAFE House: 734-995-5444; www.dvpsh.org.
- Turning Point: 586-463-6990; www.turningpointinc.com.
- United Way of Southeastern Michigan: 2-1-1 help line.
- Michigan Coalition Against Domestic and Sexual Violence: www.mcadsv.org.

Boyfriend convicted of second-degree murder in shooting

Officials say jurors swayed by suspect's flight attempt

PUBLISHED: June 23, 2006

By Jameson Cook

Macomb Daily Staff Writer

A jury Thursday found a 22-year-old Warren man guilty of second-degree murder in the shooting death of his girlfriend.

Joseph Duncil was convicted in the death of Nicole "Nikki" Hirth, 17, after one of the fastest murder trials in recent Macomb Circuit Court history. The jury deliberated about 2 1/2 hours late Wednesday and early Thursday.

Duncil at his July 20 sentencing will face a minimum prison term of about 17 to 22 years, based on a preliminary estimate under state sentencing guidelines. That includes a simultaneous conviction for felony firearm, which carries a mandatory penalty of two years in prison.

The jury was told by visiting Judge Kenneth Sanborn it could consider first-degree murder and manslaughter, along with a verdict of not guilty.

Duncil was surprised by the verdict because he had expected a manslaughter conviction, according to his defense attorney, Joe Kosmala.

"He wanted to say something but he was too affected, he couldn't get it out," Kosmala said. Kosmala said he was concerned that Duncil, who has his first name tattooed on the front of his neck and a teardrop tattooed near his eye, may have appeared too casual during the trial. He often looked relaxed and had an easy smile while sitting at the defense table in a button-up white shirt. But Kosmala said the opposite was true.

"He may have looked too detached, but he was affected by this and emotionally remorseful," he said. "I try to advise my clients to not get emotional either way during the trial, and he may have taken that too much to heart."

More likely, Kosmala said, was that the jury chose second-degree murder over manslaughter because Duncil immediately fled his south Warren trailer where the Nov. 12 shooting took place. He was captured by Warren police three days later outside a drug house near McNichols and Van Dyke in Detroit.

"If he had stayed there and tried to immediately render assistance and talked to police immediately, it would've been manslaughter," Kosmala said.

Assistant Macomb prosecutor Steven Kaplan agreed.

"The key to the case was the defendant fleeing and hiding in Detroit for three days," Kaplan said. "Our office is happy that he will be held accountable for unjustly shooting Nicole."

The jury declined to talk to the attorneys after the verdict.

Also important was Duncil's "prior bad acts" of forcing Hirth to play Russian roulette twice on the two nights prior to the shooting, one time holding the handgun at her head, although there was no evidence that Duncil spun the chamber of the six-shot revolver.

Investigators also did not know whether Duncil was playing Russian roulette when he shot Hirth, who was hit by the bullet in the lower front shoulder, from the side.

The gun had three bullets in it when recovered by police in an oatmeal box in a bag on top of a roof of a business near Seven Mile Road and Van Dyke in Detroit.

Hirth was found by James Green seconds after the shooting sitting on the bed with her back on the wall, Green was the boyfriend of her sister, Holly Martin, who was the home owner or tenant.

Hirth asked Green to hold her hand and, "Don't leave me," according to Green. She died a short time later at Henry Ford Hospital in Detroit.

Threats made by Duncil also may have been mulled by the jury. One witness, who lived in the next-door unit, testified she heard Duncil threaten to kill Hirth shortly before the 12:30 p.m. shooting, and another witness in the home testified she heard Duncil about three hours before the shooting threaten to "slap" her if she didn't take care of their infant boy who was sleeping in the bedroom.

In not choosing first-degree murder, the jury may have sided with Kosmala that Duncil and the couple's social group often talked crassly to each other without meaning it.

Kosmala said it was the fastest murder trial he has defended in his three decades as an attorney, and Kaplan said it the second-fastest he has ever prosecuted in his 20 years.

Kaplan said he "streamlined" his case because he likes to keep the case simple and concise for the jury.

"The shorter the trial, the more understandable and easier it is for the jury," he said. "Fewer doubts are created."

The case began Tuesday morning with jury selection, and the panel was seated by late morning, followed by opening statements before lunch. Testimony concluded about 3:30 p.m. Wednesday. Kaplan called about eight of 10 planned witnesses. Kosmala's only live witness was Martin, one of the two not called by Kaplan. The preliminary exam testimony of the second witness not called by Kaplan, Green, was read into the trial record, on Kosmala's request.

Duncil did not take the stand in his defense. His statement to police of an accidental shooting was barred from the trial record by the judge. The couple's male child, now about 10 months old, is in the legal custody of Duncil's mother, who attended the trial.

Nursing home residents may be moved in shake-up

2 firms bidding to run Golden Oaks Medical Care Facility, with \$2.4M deficit, want to close it.

Maureen Feighan / The Detroit News

Thursday, June 22, 2006

PONTIAC -- Two out of three bids submitted to run Oakland County's cash-strapped nursing home actually call for transferring its 85 residents to other facilities, a prospect some residents' family members find frightening.

MediLodge, a for-profit nursing home operator based out of Washington Township, and Ciena Healthcare Management Inc. of Southfield were two of the three companies that submitted bids earlier this month to Oakland County for Golden Oaks Medical Care Facility on the county's campus on Telegraph.

But rather than run Golden Oaks, both companies have proposed shipping residents to other facilities they run. MediLodge has 15 nursing homes and three assisted care facilities in Michigan. Ciena manages 27 facilities, 14 in Metro Detroit.

A third bidder, Trinity Continuing Care Services of Novi, has proposed keeping residents at Golden Oaks but charging the county a management fee based on revenue, even though the 121-bed facility is facing a \$2.4 million deficit.

Ted Jaskolski, whose 92-year-old mother, Inez, lives at Golden Oaks, said moving residents to another nursing home would be traumatic and catastrophic.

"You can't imagine what this is going to do," Jaskolski said. "We don't want to move."

Earlier this year, Tom Gordon, the county's director of health and human services, announced plans to seek bids to privatize Golden Oaks, much to some county commissioners' surprise. Hit by what one county official called a "perfect storm" of reduced Medicaid and Medicare reimbursements, low occupancy rates, and a penalty from the state that barred it from accepting any new residents for a month earlier this year, Gordon said the county needs to consider all of its options for Golden Oaks, including privatizing it.

Despite some family members' concerns, Gordon said he believed all three bids have strong points.

"Change is always difficult but the bottom line is if they can get better services and it's still a local area" it shouldn't be traumatic, Gordon said.

If residents and possibly staff are transferred to another facility, Gordon said Golden Oaks would still be owned by the county but likely renovated and used for other purposes, possibly office space.

An evaluation committee will meet next week to begin reviewing the three bids. When and if they decide to make a recommendation, the county board will have the final decision.

You can reach Maureen Feighan at (248) 647-7416 or mfeighan@detnews.com

Two counties merge 211 help line services

Friday, June 23, 2006

By Teresa Taylor Williams

Muskegon Chronicle

Two area telephone information centers are merging in an effort to serve more clients and to be more cost-efficient.

The Ottawa County 211 service this week merged with Muskegon County's Community Access Line of the Lakeshore, or CALL-211.

The move is in line with the state's plan to provide regional call centers that span several counties. The combined budget to run both programs is \$336,914, as compared to \$363,470 for operating the lines separately.

The 24-hour-a-day, seven-day-a-week help line gives callers a bevy of information. By dialing 211, users can access an operator who will assist them in locating the help they are seeking from a database of nearly 1,000 community services. It also provides critical help in emergencies, such as emergency shelters and evacuation routes during natural and manmade disasters.

Ottawa County information also will be added to the Web site, www.CALL-211.org.

The United Ways of Mason, Oceana and Manistee counties also are all in talks with Muskegon County CALL-211 to expand service to their areas, officials said.

Ottawa County's service formed in 2003 and was funded primarily by the Greater Ottawa County United Way and corporate and individual donations. In 2005, officials issued a call to the community for financial support after the United Way pulled the plug on funding.

Eight 211 call centers serve about 66 percent of the state's population, and help line coverage area is projected to expand to the Upper Peninsula before 2008. The centers, which include areas in Detroit, Jackson, Kent, and Calhoun counties, are run solely with local funding. But as the larger, regional centers form, up to half of funding could come from state resources, local officials said.

Ottawa 211's coordinators recently brought the idea of blending resources to Muskegon. "They approached us to look at merging, and we were happy to do that," said Maggie Jensen, marketing and public relations director of CALL-211.

However, Jensen said Muskegon officials had one stipulation: that Ottawa's United Way reactivate funding. Last week, the organization's board of directors committed to contribute funding for the next five years.

Officials say the merger will have no effect on service to the community. Although all calls will be connected with CALL-211 headquarters inside Senior Resources in Muskegon Heights, each county will be responsible for its own funding.

"Neither county wants to carry the other," Jensen said. "Community development and funding will still be done locally."

Muskegon's CALL-211 began in 2005.

Unger kids' future up to courts

Experts: They'll stay with mom's parents

June 23, 2006

BY L.L. BRASIER

Detroit Free Press

While it's likely murderer Mark Unger will soon lose parental rights to his two sons, what happens to the boys after that will be decided in a courtroom, with a custody battle looming between two families.

Max Unger, 12, and his brother Tyler, 9, are currently in the care of their maternal grandparents, Harold and Claire Stern of Huntington Woods, under a temporary court order.

Mark Unger was convicted Wednesday of first-degree murder in the October 2003 death of their mother, Florence Unger, who was found floating in Lower Herring Lake in Benzie County. Within weeks, he will be sentenced to life in prison without parole. A hearing to terminate his parental rights will be in August.

But what happens after that will likely be up to Oakland County Family Judge Linda Hallmark. Unger's family has hired Southfield attorney Mayer Morganroth to pursue custody of the boys, saying the children would be better off with their father's relatives.

"That is their feeling," Morganroth said. He declined to say which family members would be seeking the adoption. Unger has two sisters, Connie Wolberg, of Huntington Woods, and Kim McWhorter, who lives in Bethesda, Md.

The Sterns are expected to seek permanent custody as well. In such disputes, the cases are resolved in two different ways. Once Mark Unger's rights are terminated, Hallmark can make the boys wards of the state, and the Michigan Children's Institute, the agency that handles adoptions, will make a determination on the best placement.

Hallmark can also decide to keep the children under her jurisdiction, and hold a hearing to determine placement. And if the case were to drag out and Max Unger, soon to turn 13, turns 14 before the proceedings are complete, he would have to agree to the placement. The process could take up to a year.

The courts also decide what to do with Florence Unger's estate. She left a \$750,000 life insurance policy, which would likely be placed in a trust fund for her sons.

Meanwhile, the boys' attorney, appointed by the court to represent their interests, said he wants them to stay with the Sterns for now.

"Right now the children should remain in their current placement," said Birmingham attorney William Lansat.

Judges in such cases are sometimes reluctant to remove children from a home in which they're settled in and appear to be doing well.

When attorney Michael Fletcher was convicted of killing his wife, Leann, in 1999, his parents, John and Darla Fletcher, sought custody of their 4-year old grandchild, Hannah.

Ultimately, the court agreed to allow Leann Fletcher's parents, Gloria and John Miesner, to adopt the child. They had temporary custody at the time.

Family court attorney Diana Bare, who has handled such cases, said the Sterns have a strong case for keeping the children.

"Once Mark Unger's rights are terminated, the paternal grandparents have no standing," she said. "It would be so rare a decision to not allow the maternal grandparents to adopt in a case like this."

Under Michigan law, grandparents have some legal recourse to see their grandchildren in the case of divorce or death. But in the case of parental termination, that legal standing ends.

Contact **L.L. BRASIER** at 248-858-2262 or brasier@freepress.com



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
MICHIGAN DEPARTMENT OF HUMAN SERVICES
LANSING



MARIANNE UDOW
DIRECTOR

News Release

Contact: Stepheni Schlinker or Maureen Sorbet (517) 373-7394

Michigan Heart Gallery on Display in Ann Arbor
*Public to view professional portraits of Michigan foster children
who are waiting for adoption*

June 23, 2006

ANN ARBOR – There are more than 4,000 children in Michigan with parental rights terminated who are either waiting for their adoption to be finalized or waiting for a family. Most of these children are among those hardest to place – kids who are older and members of minorities and/or sibling groups. Adoption for older youth in the foster care system is a priority to ensure they do not leave the foster care system without a connection to a supportive adult.

Sixty of these children are featured in a heart-warming photographic exhibit called The Michigan Heart Gallery. The Michigan Heart Gallery will be on display from June 25 – July 23, 2006 at the Briarwood Mall – Central Court, 100 Briarwood Circle, in Ann Arbor.

The Michigan Heart Gallery, a collaborative effort between the Michigan Adoption Resource Exchange, the Adoptive Family Support Network and the Michigan Department of Human Services, seeks to bring our community closer to the faces and voices of children waiting for a “forever family.” The Michigan Heart Gallery features portraits of Michigan’s waiting children who come from various regions of the state and are representative of different races and ages.

“The Michigan Heart Gallery has been an amazing undertaking,” Kristen Donnay, intake coordinator for the Michigan Adoption Resource Exchange, said. “The portraits of the children are compelling. They draw you in and make you feel like you know the child. Equally as impressive has been the time, energy and compassion that the photographers have brought to the project.”

Recruitment activities such as the Heart Gallery remind people that there are many children in Michigan who are waiting to be adopted.

“Most of the children featured have been waiting for a long time to find a family to call their own,” Marianne Udow, director of the Michigan Department of Human Services, said. “While we hope the children featured in The Heart Gallery will find families, the larger goal of The Heart Gallery is to promote the idea of caring for and adopting children from the foster care system. We know from experience that if these children are not seen, and if we do not continue to educate the public about older children who need families, then they are forgotten. We are thrilled that the public will have a chance to view these portraits, get to know the children and possibly take action to see if adoption may be right for them.”

-MORE-

The photographs in The Heart Gallery were taken by more than 50 professional photographers who donated their time, talent and resources to take portraits that help capture the spirit of children in the foster care system. The Heart Gallery allows these children to be seen in an artistic, poignant and tasteful photographic exhibit. The kids thoroughly enjoyed their photo shoot experience. Some children were able to help select which portrait to feature in The Heart Gallery, while others came up with their own poses and some were given lessons in photography during the photo shoot, allowing them to become budding photographers themselves. Professional photographer Andre LaRoche volunteered to participate in The Michigan Heart Gallery and photographed 11-year-old Anthony.

"After meeting Anthony and walking around the youth home looking for a location to photograph him, I had to wipe tears from my eyes," LaRoche said. "My son is four years old and I give him and he gives me so much love. Without him, my life would be empty. I cannot easily think of all the boys at this center, with no loving parents, without a home, with their hopes and dreams possibly out of their reach."

For more than two years Anthony has been in the foster care system, waiting for his forever family. Recently, he was matched with a family after his Heart Gallery photograph caught their eye on the Michigan Adoption Resource Exchange Web site.

Another piece of The Michigan Heart Gallery is a small sampling of portraits of successful adoptive families. The Heart Gallery will feature up to 10 families who have opened their hearts and homes to children from the foster care system.

"These wonderful families show others that it is possible to build a family through special needs adoption," Udow said. "Despite the rough times that they might have faced along the way, they prove how much love and care can do for these children."

The Heart Gallery concept was initially founded by the New Mexico Children, Youth and Families Department in 2001 as a way to help foster children in protective custody who are waiting for adoptive families find the families they desire. Stirring photographs, which reveal the children's spirits and individuality, have helped many of them find loving homes. The Heart Gallery has expanded to dozens of states and cities since 2001. Heart Galleries all over the United States have been featured in *People* magazine, the *New York Times* and on CNN, MSNBC and the Today Show.

For more information about The Michigan Heart Gallery and how you can get involved, please call (800) 589-6273 or visit The Michigan Heart Gallery Web site at www.miheart.org

###